

Yoder, ~~Michael~~ Thomas M
78

162

CONF010394

DYKES_I_014027

REGISTRATION AND SUBSCRIPTION SERVICE

BOY SCOUTS OF AMERICA

DATE

April 19, 1978

FULL NAME

THOMAS M. YODER

JENNINE
MOTHER'S NAME
ADOPTED BY

(No initials if you can possibly get full name)

ADDRESS

5133 E. BRISTOL ROAD

CITY

BURTON

STATE

MI

ZIP CODE

48519

DATE OF BIRTH

12-11-35

(This is important and should be exact)

APPROXIMATE AGE

F

(To be used ONLY when date of birth is not known)

RELIGION

PROTESTANT

NATIONALITY

OCCUPATION

COCA COLA BOTTLING CO

EDUCATION

WEIGHT

7

COLOR

2

HEIGHT

7

COLOR OF HAIR

GREY - BLACK

COLOR OF EYES

Blue

OUTSTANDING CHARACTERISTICS OR INTERESTS

CAMPER'S CLUB

MARRIED OR SINGLE

Married

CHILDREN

FROM 2 MARRIAGES

2 BOYS AT HOME

(Number, ages, and names, if possible)

WIFE'S NAME

LYNNA M. YODER

Jan. 15

Born Nov 9

SCOUTING CONNECTIONS:

1 Boy 20

1 Girl by former marriage

UNIT #

CITY

STATE

OFFICE

DATE REGISTERED

DATE RESIGNED

PACK 210

BURTON

MI

TALL PINE

9-77

2-78

SPECIAL RECOGNITION

RECOMMENDED FOR CONFIDENTIAL FILE FOR FOLLOWING REASONS:



CONVICTION OF CRIMINAL CONDUCT



SUBSTANTIATED REPORTS



OFFICIAL CHARGES OF CRIMINAL CONDUCT (REVIEW)



UNSUBSTANTIATED REPORTS

SPECIFY THE FACTS WHICH LEAD YOU TO RECOMMEND INDIVIDUAL FOR CONFIDENTIAL FILE
AND LIST SUPPORTING DOCUMENTS:

NOTED

SEP 11 1978

JOSEPH L. ANGLIM

Signed

SCOUT EXECUTIVE

Council

CONF010395

DYKES_I_014028

September 15, 1978

Mr. Thomas W. Voute
Scout Executive
Tall Pine Council, No.264

PERSONAL AND CONFIDENTIAL

SUBJECT: Thomas Michael Yoder

Dear Tom:

We have reviewed the case concerning the above Scouter with our Attorney and have now placed this man on the Confidential File.

Your efforts in this area are greatly appreciated.

Sincerely,

Paul I. Ernst, Director
Registration & Subscription Service

af

CONF010396

DYKES_I_014029



National Office—Boy Scouts of America

North Brunswick, New Jersey 08902
Telephone: 201 249-6000
TWX 710-480-6262

April 7, 1978

Mr. Thomas W. Voute
Scout Executive
Tall Pine Council, No. 264

PERSONAL AND CONFIDENTIAL

SUBJECT: Thomas Michael Yoder

Dear Tom:

Thank you for your letter of March 17, and the attached copy of the court case concerning the above Scouter.

We are holding this material pending more details. Please complete the enclosed confidential record sheet and return it to us as soon as possible so we can identify this man, should he attempt to register again.

Sincerely,

Paul I. Ernst, Director
Registration & Subscription Service

af
Encl.

CONFIDENTIAL

CONF010397

DYKES_I_014030

April 7, 1978

Mr. Thomas W. Voute
Scout Executive
Tall Pine Council, No. 264

PERSONAL AND CONFIDENTIAL

SUBJECT: Thomas Michael Yoder

Dear Tom:

Thank you for your letter of March 17, and the attached copy of the court case concerning the above Scouter.

We are holding this material pending more details. Please complete the enclosed confidential record sheet and return it to us as soon as possible so we can identify this man, should he attempt to register again.

Sincerely,

Paul I. Ernst, Director
Registration & Subscription Service

af

3/10

CONF010398

DYKES_I_014031



SCOUTING/USA

TALL PINE COUNCIL, INC., NO. 264
BOY SCOUTS OF AMERICA

202 E. BLVD. DR., FLINT, MICH. 48502
TELEPHONE 313-235-2531

March 17, 1978

Mr. Paul Ernst
National Council
Boy Scouts of America
North Brunswick, New Jersey

Dear Paul,

Enclosed is a statement from the District Executive and trial transcript from the courts on Thomas Yoder who was registered with Pack - 210 in our Council.

As you can see from the enclosed correspondence Mr. Yoder should not be registered with the Boy Scouts of America and his pack has taken the appropriate steps and dropped him from current re-registration.

I hope you can put his name on file so that he doesn't appear on any other unit.

If there is any further question please don't hesitate to call me.

Sincerely yours,

Thomas W. Voute
Thomas W. Voute
Scout Executive

- C. J. L.

TWV:paf

Encls. -Statement-
 -Trial Transcript-



United Way
Member Agency

A. DORMAN MAR 20 1978

CONF010399

DYKES_I_014032

Subject: Information on Thomas Yoder, G 5133 E Birch
Road, Burton, Michigan in Ann Arbor District

In December 1977, Ross Payne, District Executive received
a phone call from a Jim Baker in Cassopolis District
related to Mr. Yoder. He said a witness working
with him advised Mr. Yoder had a connection to
a murder reference. This information was placed
in our file and a check was made to verify the
information. He was an ex-Welsh Prisoner.

In February 1978, Thomas S. Lee, Captain in Park
212 called and asked questions about Mr. Yoder. At this
time we did not have information except that
Mr. Baker had provided information that
that Mr. Yoder shouldn't be registered with no
reason. We agreed to both try to get more
information and not allow him to meet alone
with the witness.

The following evening Mr. [redacted] called on an out-
side to tell me what he had learned about the
case in Park, FBI, Michigan District, who had
a record of Mr. Yoder. I called on Mr. [redacted]
and said that he had been a prisoner and
to see what was going on regarding the case.

CONF010400

DYKES_I_014033

He told me to secure a transcript of the book from
the County Clerk which he had, copy attached.

In the new time in the case, I am not sure, but I think
who didn't object and as far as Park 210 is
concerned it is a closed case, but this could occur
if new badness was in charge of the Park.

Everything was done to pay the money in full
and yet nothing was done to pay it.

Sincerely Submitted
William E. Blomley
District Attorney

CONF010401

DYKES_I_014034

State of Michigan
In the Circuit Court for the County of Genesee

PEOPLE OF THE STATE OF MICHIGAN

-vs-

THOMAS MICHAEL YODER,

Defendant.

FILE NO: 25693

750310 p4:42

DEPUTY CLERK

Transcript of proceedings had in the above entitled matter
before the HONORABLE THOMAS C. YEOTIS, Circuit Judge,
at Flint, Michigan.

APPEARANCES:

THOMAS STILES, Attorney at Law,

Appearing on Behalf of the Defendant;

ROBERT VIEU, Adult Probation Officer.

DATE: Tuesday, April 1,

YEAR: 1975

CONF010402

DYKES_I_014035

State of Michigan
The Circuit Court for the County of Genesee

Robert F. Leonard, Prosecuting Attorney for said County, for and in behalf of the people of the State of Michigan, comes into said Court, in the Spring A. D. 19 74, term thereof, and gives it here to understand and be informed that Thomas Michael Yoder heretofore, to wit: on or about the 13th day of March in the year one thousand nine hundred and seventy-four at the City of Burton in said Genesee County, Michigan being a person over the age of sixteen (16) years, did assault one [REDACTED], a child being then and there under the age of sixteen (16) years and did take or attempt to take indecent and improper liberties with the person of said [REDACTED] without committing or intending to commit the crime of rape or the crime of sodomy or gross indecency upon said child;

PHOTOGRAPHIC COPY OF RECORD

221-A

GC 1002

STATE OF MICHIGAN

County of Genesee ss.

I, MICHAEL J. CARR, Clerk of said County of Genesee and Clerk of the Circuit Court for said County, do hereby certify that I have compared the foregoing photographic copy of [REDACTED]

with the original record now remaining in my office and it is a true and exact photographic reproduction and the whole of such original record.

In Testimony Whereof, I have hereunto set my hand, and affixed the seal of said Court and County; this day of [REDACTED] A.D. 19 75.

MICHAEL J. CARR, Clerk

By [REDACTED] Deputy County Clerk

ignity

CONF010403

DYKES_I_014036

THE COURT: Good afternoon. The first matter we have is the matter of the People of the State of Michigan versus Thomas Michael Yoder. You want to step forward, sir?

MR. STIPES: Ready, your Honor.

(The defendant approached the Bench with his attorney.)

THE COURT: Mr. Thomas Stipes is here on behalf of Mr. Yoder, and Mr. Yoder is present, and this is the date scheduled for the sentencing of Mr. Yoder.

Mr. Yoder, on August the 8th of 1974, a number of months ago, you entered a plea of guilty to Indecent Liberties, is that correct, sir?

THE DEFENDANT: Yes.

THE COURT: And I believe at that time you were advised that you had certain legal and Constitutional rights which included the right to counsel, and right to a trial, right to remain silent during the trial, right to have all the witnesses that had any information about this case brought into court at the time of the trial so that your attorney could question them, isn't that true, sir?

THE DEFENDANT: Yes, it was.

THE COURT: And were you also advised that you could be sentenced up to ten years in the state penitentiary or fined up to \$5,000 by the Court finding you guilty of this

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DYKES_I_014037

particular offense?

THE DEFENDANT: Yes, sir.

THE COURT: And is there any question but that you are guilty of this offense?

THE DEFENDANT: No, sir.

THE COURT: Now, Mr. Yoder, before I impose sentence, I might indicate that I have had several discussions with your counsel relative to this cause, but I have not discussed with you anything relative to this matter. Is there anything you wish to tell the Court?

THE DEFENDANT: No, sir, there isn't.

THE COURT: Mr. Stipes, other than what we have discussed, is there anything you wish to tell the Court?

MR. STIPES: Your Honor, I think in depth conversations in regard to the subject are pretty involved, and I know the Court's given this a great deal of consideration since in fact this was in fact six months ago up for sentencing. At that point and time the Court wanted more time for its consideration, which we deeply appreciate. I'm sure any sentence that the Court would hand down at this time would -- is a right sentence, and we have utmost faith in the Court, and I would only say, again, that Mr. Yoder has displayed to me during the last year a great deal of concern over this problem, and, as the pre-sentence report indicates, it was his own wish and desire to continue at the Genesee County Mental Health clinic,

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DYKES_I_014038

even though they have indicated that there's nothing further that they can do for him, and they felt that he had made considerable progress with his problem, and I certainly think he has, and, in addition to that, I feel he's rehabilitated himself to remain on the streets and to be an active, productive citizen and provide for his wife and children.

THE COURT: Now, Mr. Yoder, you're still employed at Coca-Cola, is that right?

THE DEFENDANT: Yes, sir, I am.

THE COURT: And you have worked with them for quite a -- what is it? Nine years?

THE DEFENDANT: Will be ten years September 13th of this year, sir.

THE COURT: And you're earning \$6.15 an hour, is that right?

THE DEFENDANT: Yes, sir. That's not including my nighttime premium, which is another dime.

THE COURT: And that's your wife that's with you this afternoon, is it not?

THE DEFENDANT: Yes, it is.

THE COURT: Mrs. Yoder, you want to step forward?

(Mrs. Yoder approached the Bench.)

THE COURT: Mrs. Yoder, how are things going at home now?

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DYKES_I_014039

MRS. YODER: They seem to be going a lot better since we have both, you know, went to the mental health clinic and everything.

THE COURT: He's providing support for you and the children?

MRS. YODER: Yes, he is.

THE COURT: And taking care of his responsibilities?

MRS. YODER: Uh-huh.

THE COURT: Well, I'm a bit troubled because of the seriousness of this offense, Mr. Yoder. It's true that you have an excellent work record. Your employer has indicated, quote that you are one of their better employees. As you have indicated, you have been with them for almost ten years; you're taking care of your family responsibilities, and one of the reasons we deferred this matter for sentencing was to see to it that you did consult with Genesee Community Mental Health Services so that they could assist you in any fashion that they might, and, according to the case worker there, your attendance there has been regular, and that you have made excellent progress. So I'm going to take a chance on you, although by my taking a chance, that means I'm going to place you on probation, but if you violate your probation in any manner, you can still be sentenced up to ten years in the state penitentiary.

THE DEFENDANT: I understand that, sir.

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THE COURT: Now, other than the difficulty that you had with the law back in 1958, it appears you have had no difficulty whatsoever for approximately sixteen, seventeen years until this particular offense, and I'm not a psychologist or psychiatrist to know what it is that causes you to get involved in this particular situation, but, as I have indicated, I'm going to give you the benefit of the doubt, because during this interim period, you have complied with the Court's request.

And the Judgment of Sentence should read that:

JUDGMENT OF SENTENCE

1. Thomas Michael Yoder was charged with the offense of Indecent Liberties.
2. He entered a plea of guilty on August 8th of 1974, while being represented by Attorney Thomas Stipes.
3. The Court did accept the plea of guilty after ascertaining that it was made freely, voluntarily and understandingly, with full knowledge of his legal and Constitutional rights, and without undue influence, compulsion or duress, and without any promise of leniency.
4. The date of sentence is the 1st day of April of 1975.
5. The sentence of this Court is that you be placed

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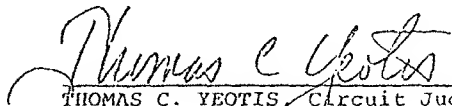
on probation for a period of three years with the following special conditions:

(1) You are to maintain full time employment and not leave that employment without permission from the Probation Department.

(2) You are to live at your present residence or a residence approved by the Probation Department and not leave that residence without approval from the Probation Department.

(3) You are to cooperate with any community agencies as directed by the Probation Department. Initially it will be the Genesee County Community Mental Health Services, and you are not to leave such program without written permission from the Probation Department.

(4) You are to pay court costs in the amount of \$180 at the rate of \$5 or more per month while you are on probation.


THOMAS C. YEOTIS, Circuit Judge
DATE: 10-10-75

THE COURT: Now, those are the four terms of probation that I'm going to require. Do you have any questions about those terms?

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DYKES_I_014042

THE DEFENDANT: No, I have not.

THE COURT: I take it, then, you feel you can comply with those?

THE DEFENDANT: I definitely do, sir.

THE COURT: And you do understand if you violate your probation and it's shown that you have violated, you can still be sentenced up to ten years in the state penitentiary?

THE DEFENDANT: Yes, sir.

THE COURT: I do want to state to you I hope I don't have the opportunity to have you before me again as a probation violator, but I want to warn you ahead of time if you don't comply with these terms of probation, it will be necessary for me to take a very serious look at this matter.

THE DEFENDANT: Yes, sir.

THE COURT: Now, Mrs. Yoder, you have heard the terms of probation. Is there anything else you think ought to be added to the terms of probation, or do you think this can be worked out?

MRS. YODER: I think it can be worked out.

THE COURT: I'm telling you, for your own benefit, that if your husband should stray for any particular reason in terms of violating these terms of probation, I would suggest that you contact Mr. Stipes or his probation officer so that something can be done before it's too late.

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DYKES_I_014043

MRS. YODER: I will.

THE COURT: All right. I also want to advise you, Mr. Yoder, that you have a Constitutional right to appeal the decision of this Court. If you are financially unable to provide an attorney to perfect such an appeal, the Court would provide counsel for you and furnish the attorney with whatever portions of the file would be necessary to perfect an appeal.

I further advise you if you claim financial inability and request the Court to appoint counsel, such request must be made within 60 days from today. I'm going to hand you a form which you should keep in the event you want to appeal, reminding you you have 60 days from today in which to file an appeal. The purpose of the form is to assist the Court in determining whether you are entitled to court-appointed counsel and to indicate to the Court whether in fact you want to appeal the decision of this Court.

This is a form that I would appreciate your signature on.

MR. STIPES: Your Honor -- I'm sorry.

THE COURT: Your signature is required as a form of a receipt indicating that you have been advised of your legal and Constitutional rights of appeal.

(The defendant signed the receipt.)

THE COURT: If there are no other questions,

CONF010411

DYKES_I_014044

that will be all, Mr. Yoder.

MR. STIPES: Thank you, your Honor.

THE DEFENDANT: Thank you, sir.

THE COURT: You're welcome.

- - -

CONF010412

DYKES_I_014045

I hereby certify that the above is a true
and correct transcript of the proceedings had
in the above entitled matter at Flint, Michigan,
on the above indicated date.

Martha Helmruck
10/10/75
OFFICIAL COURT REPORTER

* * *

I hereby certify that the above is a true
record of the proceedings had in the above
entitled cause.

Witnessed by J. D. A.

PHOTOGRAPHIC COPY OF RECORD

221-A

GC1002

1-75

STATE OF MICHIGAN

County of Genesee

ss.

I, MICHAEL J. CARR, Clerk of said County of Genesee
and Clerk of the Circuit Court for said County, do hereby
certify that I have compared the foregoing photographic
copy of _____

_____ with the original record now remaining in my office and it
is a true and exact photographic reproduction and the whole
of such original record.

In Testimony Whereof, I have hereunto set my hand, and
affixed the seal of said Court and County, this _____
day of _____ A.D. 19 _____

MICHAEL J. CARR, Clerk

By _____

Deputy County Clerk

ENCE ✓

DETERMINATION _____ CONTEMPT _____ ACKNOWLEDGMENT _____ PROBATION VIOLATION _____

CONF010413

DYKES_I_014046